



240/040
#12/C
4-2-99
this application
36 Subclass 318
tion: 08/90/559

Anticipated Classification of this application
Class 436 Subclass 318
Prior application: 98/90,559
Examiner: Spiegel, C.
Art Unit: 1641

BOX CPA
Assistant Commissioner for Patents
Washington, D.C. 20231

CONTINUED PROSECUTION APPLICATION (CPA) UNDER 37 CFR § 1.53(D)

This is a Request for filing a ☒ Continuation or ☐ Divisional Application, under 37 CFR § 1.53(d) of prior application Serial No. 08/900,559 filed on 07/25/97 entitled Method of Use of One Step Immunochromatographic Device for Streptococcus A Antigen by the named Cheng, et al., which remains the same for this Continuing Application:

1. FULL NAME OF INVENTOR	Cheng	Shu-Ching	n/a
RESIDENCE AND CITIZENSHIP	(family name) Rancho Santa Fe	(first given name) CA	(middle name) United States
POST OFFICE ADDRESS	(city) 6150 Largo Linda	(state or foreign country) RANCHO SANTA FE	(country of citizenship) CA 92067
	(post office address)	(city)	(state, zip,country)
2. FULL NAME OF INVENTOR	Huang	Ching	n/a
RESIDENCE AND CITIZENSHIP	(family name) Chula Vista	(first given name) CA	(middle name) United States
POST OFFICE ADDRESS	(city) 635 Indigo Canyon Road	(state or foreign country) CHULA VISTA	(country of citizenship) CA 91911
	(post office address)	(city)	(state, zip,country)
3. FULL NAME OF INVENTOR	Wu	Ming-Shian	n/a
RESIDENCE AND CITIZENSHIP	(family name) La Jolla	(first given name) CA	(middle name) United States
	(city)	(state or foreign country)	(country of citizenship)

02/08/1999 SLUANG1 00000133 122475 08900559

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CERTIFICATE OF MAILING
(37 C.F.R. §1.10)

I hereby certify that this paper (along with any referred to as being attached or enclosed) is being deposited with the United States Postal Service on the date shown below with sufficient postage as 'Express Mail Post Office To Addressee' in an envelope addressed to the Assistant Commissioner for Patents, Washington, D.C. 20231.

EL088406621US

Express Mail Label No.

February 1, 1999

Date of Deposit

D.Y. Higa

Name of Person, Mailing Paper

Signature of Person Mailing Paper

4. FULL NAME OF INVENTOR RESIDENCE AND CITIZENSHIP POST OFFICE ADDRESS	Willrodt	Michael J.	n/a
	(family name)	(first given name)	(middle name)
	Escondido	CA	United States
	(city)	(state or foreign country)	(country of citizenship)
5. FULL NAME OF INVENTOR RESIDENCE AND CITIZENSHIP POST OFFICE ADDRESS	157 Avacado Creast Lane	ESCONDIDO	CA 92025
	(post office address)	(city)	(state, zip, country)
6. FULL NAME OF INVENTOR RESIDENCE AND CITIZENSHIP POST OFFICE ADDRESS	Cunningham	Herbert Bradfield	n/a
	(family name)	(first given name)	(middle name)
	Julian	CA	United States
	(city)	(state or foreign country)	(country of citizenship)
7. FULL NAME OF INVENTOR RESIDENCE AND CITIZENSHIP POST OFFICE ADDRESS	6535 Engineers Road	JULIAN	CA 92036
	(post office address)	(city)	(state, zip, country)
8. FULL NAME OF INVENTOR RESIDENCE AND CITIZENSHIP POST OFFICE ADDRESS	Fan	Eugene	n/a
	(family name)	(first given name)	(middle name)
	La Jolla	CA	United States
	(city)	(state or foreign country)	(country of citizenship)
9. FULL NAME OF INVENTOR RESIDENCE AND CITIZENSHIP POST OFFICE ADDRESS	7813 Esterel Drive	LA JOLLA	CA 92037
	(post office address)	(city)	(state, zip, country)

☐ Continued on attached page for additional Inventors

The above-identified application in which no payment of Issue Fee, abandonment of, or termination of proceedings has occurred, is hereby expressly abandoned as of the filing date of this new application. Please use all the contents of the prior application file wrapper, including the drawings, as the basic papers for the new application.

- ☒ Enter the Amendment After Final under 37 CFR § 1.116 previously filed on December 1, 1998 but unentered, in the prior application.
- ☐ A Preliminary Amendment is enclosed.
- ☐ Use the claims as on file in the prior application.

The fees for claims (37 CFR § 1.16(b)-(d)) have been calculated as shown below:

BASIC FILING FEE:						\$760.00
Total Claims	8	-	20	=	0 x \$18.00	\$0.00
Independent Claims	1	-	3	=	0 x \$78.00	\$0.00
Multiple Dependent Claims	\$260	(if applicable)			<input type="checkbox"/>	\$0.00
TOTAL OF ABOVE CALCULATIONS						\$760.00
Reduction by ½ for Filing by Small Entity. Note 37 CFR §§ 1.9, 1.27, 1.28. If applicable, Verified Statement must be attached.						\$380.00
Misc. Filing Fees (Recordation of Assignment)						\$0.00
TOTAL FEES SUBMITTED HERewith						\$380.00

- ☐ A check is enclosed in the amount of ____.
- ☒ Charge Deposit Account No. **12-2475** in the amount of \$380.00.
- ☐ The Commissioner is authorized to charge Counsel's Deposit Account No. **12-2475** for any fees required under 37 CFR 1.16, 1.17 and 1.445 that are not covered, in whole or in part, by a check enclosed herewith and to credit any overpayments to said Deposit Account **12-2475**.
- ☒ Amend the specification by inserting before the first line the sentence:

This application is a ☒ Continuation or ☐ Divisional, Serial No. 08/900,559 filed on July 25, 1997.

- ☐ A new oath or declaration is ☐ enclosed or ☐ will be submitted in due course, since this application is a Continuation-In-Part which discloses and/or claims additional matter.
- ☒ The Power of Attorney was filed in the prior application Serial No. 08/900,559 on January 6, 1998.
- ☒ A small entity statement was filed in the prior application Serial No. 08/900,559, filed on January 6, 1998, which status is still proper, and its benefit under 37 CFR § 1.28(a) is hereby claimed.
- ☐ Priority is claimed under 35 USC § 119 based on application(s):
Serial No. _____, filed on _____ in (country)_____.
- ☐ The certified copy(s) has been filed in prior application Serial No. _____.
- ☒ The prior application is assigned of record to: Wyntek Diagnostics, Inc.

☒ Request for extension of time to respond is being filed in the prior application to maintain copendence.

☐ Also enclosed: _____.

Please direct all future correspondence regarding this matter to the undersigned counsel for applicant.

Respectfully submitted,

LYON & LYON LLP

Dated: February 1, 1999

By: Vicki G. Norton
Vicki G. Norton
Reg. No. 40,745

633 West Fifth Street, Suite 4700
Los Angeles, California 90071-2066
(213) 489-1600